

NICHOLAS A. TRUTANICH  
United States Attorney

GREG ADDINGTON  
Nevada State Bar No. 6875  
Assistant United States Attorney  
Bruce R. Thompson U.S. Courthouse & Fed. Bldg.  
400 South Virginia Street, Suite 900  
Reno, Nevada 89501  
Phone: (775) 784-5438  
[Greg.Addington@usdoj.gov](mailto:Greg.Addington@usdoj.gov)  
Counsel for United States

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$73,360.00 IN UNITED STATES CURRENCY,

Defendant.

MACIEJ BRAUNSTEIN,

Claimant.

3:19-cv-075-MMD-CBC

STIPULATION FOR STAY AND ORDER  
THEREON

Plaintiff United States of America and claimant Maciej Braunstein, through their respective counsel, hereby stipulate and propose an order from this Court staying this civil forfeiture action pursuant to 18 USC § 981(g). In support of the proposed stay of this civil forfeiture action, the parties state as follows.

Section 981(g), title 18, provides:

(1) Upon motion of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related criminal case.

(2) Upon motion of a claimant, the court shall stay the civil forfeiture proceeding with respect to that claimant if the court determines that –

(A) the claimant is the subject of a related criminal investigation or case;

(B) the claimant has standing to assert a claim in the civil forfeiture proceeding; and

(C) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

1. Claimant Braunstein is the sole claimant in this civil forfeiture proceeding.

2. Claimant Braunstein currently is being prosecuted in Douglas County, Nebraska, for alleged criminal offenses arising from a traffic stop and subsequent vehicle search that occurred on or about October 18, 2018. The Nebraska criminal proceeding is referenced in the complaint for forfeiture filed herein. *See* Complaint (dkt. #1), para. 29.

3. The parties agree that the pendency of the Nebraska criminal proceeding against claimant Braunstein provides a factual basis for a stay pursuant to 18 USC § 981(g).

4. The Nebraska criminal proceeding is set for a trial setting conference on September 10, 2019.

5. The parties jointly request a stay of this civil forfeiture action and a suspension of pretrial proceedings. The parties propose that a status report be filed on or before October 15, 2019, indicating the status of the Nebraska criminal proceeding and the parties' views as to whether a further stay is

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1 warranted. The parties further propose that they will request a status conference in this action within  
2 thirty (30) days following the completion of the Nebraska criminal proceeding.

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4 /s/ J. Craig Demetras  
J. CRAIG DEMETRAS, ESQ.  
5 Counsel for Claimant Maciel Braunstein

/s/ Greg Addington  
GREG ADDINGTON  
Assistant U.S. Attorney

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7 IT IS SO ORDERED

8 Dated: August 23, 2019

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UNITED STATES DISTRICT JUDGE